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STATUTORY INSTRUMENTS

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**1990 No. 268**

**LOCAL GOVERNMENT, ENGLAND AND WALES**

**The Local Government Finance (Capital Money)  
(Consequential Amendments) Order 1990**

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|-------------------------------|---------|---------------------------|
| <i>Made</i>                   | - - - - | <i>15th February 1990</i> |
| <i>Laid before Parliament</i> |         | <i>16th February 1990</i> |
| <i>Coming into force</i>      | - -     | <i>9th March 1990</i>     |

The Secretary of State for the Environment, in exercise of the powers conferred upon him by sections 143(2) and 147(1) and (2) of the Local Government Finance Act 1988(1), and of all other powers enabling him in that behalf, hereby makes the following Order:

**Citation and commencement**

1. This Order may be cited as the Local Government Finance (Capital Money) (Consequential Amendments) Order 1990 and shall come into force on 9th March 1990.

**Amendments of enactments and instruments**

2.—(1) Subject to paragraph (2) below, the enactments and instruments mentioned in column (1) of the Schedule to this Order shall have effect on and after 1st April 1990 subject to the amendments specified in column (2) of that Schedule.

(2) The amendments in section 77(2) and (5) of the Local Government Act 1985(2) shall have effect on and after the date on which this Order comes into force for the purpose of enabling the Secretary of State to make an order under section 77(1) of the Local Government Act 1985 which has effect on or after 1st April 1990.

15th February 1990

*Chris Patten*  
Secretary of State for the Environment

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(1) 1988 c. 41  
(2) 1985 c. 51

*Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.*

## SCHEDULE

Article 2

| (1)<br>Enactment or instrument  | (2)<br>Amendment   |
|---|--|
| Local Government Act 1985   | <p>In section 77—</p> <p>(a) in subsection (2), for the words “rating authority” there shall be substituted the words “charging authority”;</p> <p>(b) in subsection (4), for the words “the rating authorities” there shall be substituted the words “the charging authorities”; and</p> <p>(c) in subsection (5) there shall be inserted after the word “State” a semi-colon followed by the words “and references in this section to a charging authority shall be construed as references to an authority which is a charging authority for the purposes of the Local Government Finance Act 1988 by virtue of section 144(1)(a), (b) or (c) of that Act”.</p> |
| Education Reform Act 1988(3)  | <p>In section 185(8)(a) for the words “rating authority” and “rating authorities” there shall be substituted the words “charging authority” and “charging authorities” respectively.</p>   |
| The Local Government Reorganisation (Capital Money) (Metropolitan Counties) Order 1986(4) | <p>(a) (a) in article 2(1) there shall be inserted after the definition of “relevant land” the following definition—</p> <p style="padding-left: 40px;">““the charging authorities” means the charging authorities in the metropolitan county of West Yorkshire;”;</p> <p>(b) in articles 3(1), 6(1) and (4), 7(1) and 8(4) for the word “rating” there shall be substituted the word “charging”;</p> <p>and</p> <p>(c) in article 7 there shall be inserted after paragraph (3) the following paragraph—</p> <p style="padding-left: 40px;">“(3A) In paragraph (3) “rating authority” means an authority which was a rating authority on 31st March 1990.”.</p>   |

(3) 1988 c. 40

(4) S.I.1986/2063; the Order has ceased to have effect in relation to the counties of Greater Manchester, Merseyside, South Yorkshire and Tyne and Wear by virtue of S.I. 1989/1359, S.I. 1989/2470, S.I. 1989/814 and S.I. 1988/1590, respectively. Accordingly, it has effect only in relation to the county of West Yorkshire.

| (1)<br>Enactment or instrument  | (2)<br>Amendment   |
|---|--|
| Local Government Reorganisation (Capital Money) (West Midlands) Order 1986 <sup>(5)</sup> | <p>(a) (a) In article 2(1) there shall be inserted after the definition of “reimbursable capital money” the following definition—</p> <p>““the charging authorities” means the charging authorities in the metropolitan county of West Midlands;”;</p> <p>(b) in articles 3, 4(3), 7(1) and 8(4) for the word “rating” there shall be substituted the word “charging”; and</p> <p>(c) in article 7 there shall be inserted after paragraph (3) the following paragraph—</p> <p>“(3A) In paragraph (3) “rating authority” means an authority which was a rating authority on 31st March 1990.”.</p> |

### EXPLANATORY NOTE

*(This note is not part of the Order)*

This Order is consequential upon the Local Government Finance Act 1988. It amends the enactments and instruments specified in the Schedule (which are concerned with capital money of residuary bodies) by replacing or otherwise amending certain references to rating authorities.